

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TENNESSEE**

FUSION ELITE ALL STARS, *et al.*

Plaintiffs,

v.

VARSITY BRANDS, LLC, *et al.*,

Defendants.

**Civ. Action No. 2:20-cv-02600-SHL-cgc**

**Jury Trial Demanded**

**MOTION TO WITHDRAW AS COUNSEL**

COMES NOW, attorney Mark W. Nelson, and hereby moves this Court for permission to withdraw as counsel of record for Defendants Varsity Brands, LLC, Varsity Spirit, LLC and Varsity Spirit Fashions & Supplies, Inc. (collectively the, “Varsity Defendants”). Varsity Defendants will continue to be represented by Cleary Gottlieb Steen & Hamilton LLP attorneys George S. Cary and Steven J. Kaiser, as well as Matthew S. Mulqueen and Adam S. Baldrige of Baker, Donelson, Bearman, Caldwell & Berkowitz, P.C., and therefore there will be no interruption of representation in this matter. Accordingly, the withdrawal of Mr. Nelson will not delay this action or prejudice either party.

WHEREFORE, attorney Mark W. Nelson hereby requests the Court's permission to withdraw as counsel effective immediately and be relieved of any further obligations.

September 24, 2021

Respectfully submitted,

By: s/ Matthew S. Mulqueen

George S. Cary\*  
Steven J. Kaiser\*  
CLEARY GOTTlieb STEEN & HAMILTON  
LLP  
2112 Pennsylvania Avenue, NW  
Washington, DC 20037  
Phone: (202) 974-1500  
Fax: (202) 974-1999  
gcary@cgsh.com  
skaiser@cgsh.com

\* Admitted *pro hac vice*

Matthew S. Mulqueen (TN #28418)  
Adam S. Baldrige (TN #23488)  
BAKER, DONELSON, BEARMAN,  
CALDWELL & BERKOWITZ  
165 Madison Avenue, Suite 2000  
Memphis, TN 38103  
Phone: (901) 526-2000  
Fax: (901) 577-0866  
mmulqueen@bakerdonelson.com  
abaldrige@bakerdonelson.com

*Attorneys for Varsity Brands, LLC; Varsity Spirit,  
LLC and Varsity Spirit Fashions & Supplies, LLC*

### **CERTIFICATE OF CONSULTATION**

I hereby certify that counsel for Varsity Defendants and counsel for Plaintiffs, Victoria Sims of Cuneo Gilbert & Laduca LLP, consulted via email on September 21, 2021 on the relief requested in this motion. Plaintiffs do not oppose the relief sought.

s/ Matthew S. Mulqueen  
Matthew S. Mulqueen